

THE VILLAFRANCA CASE.

Brutal Treatment of Immigrant

STARVATION ON BOARD

Investigation Before Commissioner Osborn

The examination of the charges against Cap...

passengers was carried on duty and brutal treatment. The first witness called was

John Hughes, who was examined by Assistant District Attorney George J. Had, counsel for the prosecution:

Q. Where do you reside? A. At No. 236 West 107th St.

Q. Were you a passenger on board the ship Villafraza, on her last voyage from London to this port? A. Yes, sir, and am acquainted with her captain, I am.

Q. How long did you stay in London? A. I was in London on the 10th of last July; on the day following the steamer was first served out.

Q. State what you got. A. I got six biscuits for tea, nothing about the food. I got five small round ones, and about half a pound of sugar, scarcely a pound of flour, quite as much peas, rice, a centesimal as I cared about.

Q. How much was that? A. About one pound peas and about one pound of oatmeal; I also got two loaves of bread.

Q. What else? A. I believe that was all; no more was given to me on the 10th; we had those rations on Saturday, the day we went on board, and had none till the 12th.

Q. What was given to you on Monday, the 10th? A. On Monday, the 10th, I received something less than a pound of pork; on the ensuing Saturday I received something more, the same in quantity, with the exception of the meat, which was beef.

Q. Any meat served out to you then? A. No.

Q. When were rations served out to you after that? A. On the third Saturday we were at sea; the rations were then served out to me.

Q. Did that differ from the prior week? I got two biscuits more, on the following Monday about the same quantity of meat was served out; a man who "bunked" with me made me a bet that I had not got it all this time; in other respects the rations were the same.

Q. On the following Monday? A. Meat was not served out—about the same quantity; provisions were again served out on the following Saturday, which was the 17th; I received something inasmuch as we got 12 biscuits this time; in other respects they were the same; meat was served out on the following Monday, but I do not recollect the quantity; the quality of it was bad; so I did not eat it.

Q. Go on to the following Saturday? A. I can speak specifically about each day; we had 16 biscuits on one occasion, and on another 19; on the two weeks I was on board, the quantity of the sugar, the rice and the peas were the same; the quality of the meat was not the same; I then had enough to serve me for half the week—about one pound between two of us; he said we had full weight—two pounds.

Q. On the 12th you complained of the quality of the meat served out to you? A. On one occasion a man (Wood) who occupied the same bunk as I was complained of it; he said that the meat was not fit to eat; he was the product of his first mate; I never saw the meat complained of; I had no meat that week.

Q. Did you ever have any meat served to you after that? A. Yes, on the 12th of last July, the meat was better than I expected; it smelled horribly; the captain said it was the same meat that he had, that the captain had, that every vessel that left London had.

Q. How was it? A. The meat was very bad; we asked it, and water and made a stew of it.

Q. State when you first received a ration of water? A. On the second day we were on board; the quantity was one liter.

Q. How do you know that it was less than that quantity? A. I know that when I had a cup of tea in the morning, a stew in the middle of the day, and two meals in the evening, I was never thirsty; I never measured it on any occasion; the measure was not filled; it was held in a slanting direction; there was little variation in the quantity of water served out; the water was not very good; it was sometimes better. Sometimes they were, and sometimes they were not required; they were.

Q. Were scales used in serving out the other provisions? A. Sometimes they were; latterly the Captain weighed the biscuits.

Q. Were there ever any scales used in the measuring out the potatoes? A. No, I think not; the biscuits were measured out by the Captain.

Q. Did you ever see them weigh biscuits? A. Yes, but I do not know how much they weighed.

Q. Cross-examined by ex-Judge Benedict, counsel for the defense: A. I was on board the steamer and lived on board for my own provisions.

Q. Did you ever ask to have them weighed? A. I did not.

Q. Did you not make specific complaint, did you not? A. No; except on those occasions I have mentioned, I did not ask the captain to weigh the sugar.

Q. Did you go for the water yourself? A. I did; every other morning I took two cups of water; I never asked for it; I never saw any one else do so; I always got the water out in a slanting way; I never saw the measure full; it was one measure; I crumbled about it; shelling; there was no use in making complaints; people had complained too often without success; I never saw the water weighed; it was delivered as it was; we were measured or not; my own measure was a can, which I have not got now.

Q. Were not the biscuits sometimes broken? A. Yes.

Q. Then how do you know that their number was as stated? A. We watched them together, but never asked them to weigh them; I had as much peas and rice as I wanted; I never asked them to weigh them.

Q. Did you ever ask the captain for some water? A. No.

Q. For more meat or bread? A. No.

Q. Mr. Benedict announced at this stage of the proceedings that he should leave, as he was engaged in a case in which \$3,000 were involved.

Q. Did you see any of the other passengers, who went to go with the case. Their interests were as important as \$3,000 of his friend, and should be attended to. I would respectfully ask to go on with the investigation.

Q. Mr. Benedict wishes to adjourn, as he wants to put the case to rest.

Q. Commissioner Osborne—Justice requires that the men should have an investigation to-day. I must go with the case, but as Mr. Benedict must leave I will serve the right to him to cross-examine any witness in his return.

MRS. JANE TAYLOR EXAMINED.

Mrs. Jane Taylor, the next witness called, sworn at and examined:

Q. Where do you now reside, Mrs. Taylor? A. At No. 100 West 107th St., opposite the Capt. Carlin's house.

Q. Were you a passenger on board the Villafraza, from London to New York; on the first Saturday we were on board, before the rations were served out, I saw the carpenter weigh biscuits. A. He said there were eight biscuits for each man; the sugar was well weighed, the peas, rice, and three or four potatoes; the carpenter gave me husband rations for the use of himself, myself, and three persons in all.

Q. Is it in your mind that I paid \$4 for him.

Q. Counsel—About 16 years old? A. Yes. The carpenter gave my husband 12 biscuits, eight potatoes, flukes (that's the name we give them in England), or potatoes—four of which were bad; these were for the three of us. I saw the carpenter weigh the sugar, the peas, and three quarters; the sugar was not a pound weight; peas were served out about a pint and a half for three of us; I cannot tell how much meal; it was about the same quantity; the measures were never full; the sugar was not weighed; the meat was not weighed; I said it and told the Captain of it repeatedly, but never had a conversation with him in reference to it.

Q. When were you first served with meat? A. On Monday, sir; it was served to my husband in my presence.

Q. How much was that? A. The meat was very bad; my husband has been a butcher for many years, and both he and myself are familiar with measures.

Q. How much was given to you? A. About two pounds of beef and two of pork, bone and all; it would be about the same quantity.

Q. How much was chopped up so; no other rations were served out on the next Saturday; I had 15 biscuits for three of us; the rest was all about the same; on the next Monday we had meat about the same quality and quantity.

Q. How much was that? A. The meat was very bad.

Q. Two weeks after we left England, it was very bad.

Q. What a smell! I took it up the stairs and threw it overboard; it was in the kitchen of another occasion when it was very bad; I took it up the stairs and threw it overboard when I took it up to throw it overboard a man said to me: "O. Mrs. Taylor, don't throw it overboard, give it to me. I am so hungry," the meat was the same; the last week I got to pork at all; the carpenter said we should be ashore in a day or two.

Q. In reference to the water that was served out on the 12th of last July, did you see any of the other passengers, when I took two four quart bottles with me I received six quarts for three persons; once you got bottles full of water to wash the ends of the bottles.

[illegible]

of the children, the last week I had about four quarters; I tried to receive it in a pailon tin can; but my mother saw that I could not use it; the first quarter was so bad that it overboard; the pork was equally bad; after that I always gave it away; the first week I had eleven loaves, the smallest number I ever got.

Q. How much flour was allowed you the first week?

A. One pound and a quarter; the rice and meal weighed each about two pounds; I had about one pound of sugar.

Cross-examination—I did not complain to the captain except about the tea; it was full of maggots; I had provisions of own; had I not I not I should have starved; when the provisions were last served out I only took the sugar.

HANNAH McGUIRE'S TESTIMONY.

Hannah McGuire was the next witness examined—I was a passenger on the Villafraña; had three children, a young woman and boy; we had something less than two months' provisions; we were waiting at anchor for water a day for the six of us; I went to the captain one day to complain about the water; told him that my children and myself were sick with cholera; he asked me if I thought it was raining, and my little girl thrust her chin down the edge of the canvas.

Cross-examined by Mr. Benedict—Sometimes the two pailon cans would be filled, and sometimes not; but never had enough.

JAMES CUDDEY'S TESTIMONY.

James Cuddey was the next witness called—I reside in Board Roelin, Staten Island, and was a passenger on the Villafraña; I received 70 lbs. of rice the first week; having nothing else to eat I made use of the beef; I saw them pretend to measure out the peas, rice and flour; the cap'n when they measured their rations used to hold a pail up to his eye; I saw him stinking; five or six times he gave me the first time about the size of small hen-eggs; the bottom of the tin with which the water was measured was driven up, and fastened with putty; the cap'n said that you could put six rubbers on your quart measure.

Cross-examined—I did not complain to the captain, because I could not find him; I complained to the carpenter four times about the shortness of the water and the provisions, and he told me to get along; "You hold your provisions, give you provisions before you get through," there he is, there (pointing to the carpenter), and let him deny it.

The case was then adjourned to Thursday next at 10 o'clock a. m.

THE TAX ON CIGARS.

Meeting of Cigar Manufacturers—A Platform Adopted.

The German Cigar Manufacturers met yesterday afternoon at the Stenben House for the purpose of taking measures to secure the abolition of the present Internal Revenue law as far as it refers to the taxation of cigars, and to have adopted resolutions in regard to cigars, and to have been held by the same body, which represents the cigar manufacturers employing from three to 20 hands, and as an adjournment was carried for yesterday, so as to secure a more numerous attendance, which, though in many respects a success, the meeting was fully on a determination, for every one of the hundred persons present was seemingly impressed with the importance of the movement, and did his best to further the general cause of the nation.

The meeting was presided over by Mr. Reeth, President of the German Sugar Manufacturers' and Dealers' Association. Mr. Reeth acted as Secretary.

Mr. RABBIT, in stating the object of the meeting, remarked that the labors of the Executive Committee showed plainly that the efforts of the Society and its Executive Committee had been more extended than before, and that while this was a good omen for the society, the members must not lose sight of the fact that the end of the year is near, and that their united action secures the success of the great aim the society had for its object.

The financial report of the society was then read, showing a balance of \$481 76, while the disbursements amounted to \$217 58; which leaves a balance in the hands of the Treasurer of \$264 18. This fund represents the dues and entrance fees up to date, since the last general assembly of the society.

The Delegate to the National Executive Committee reported that Mr. Burke had been sent as representative of the Cigar Trade, and Mr. David Campbell of Newark had been selected to hold a National Convention of the entire trade over the country.

In obedience to an call, Mr. E. B. BURKE, the delegate of the Cigar Trade, took the floor. He spoke as follows:—I have very deeply believed great things from the proposed convention of tobacco people in Louisville. The Convention was called for Wednesday, and it was held on Wednesday night last, and I was not able to attend. He had arrived in Louisville at 4 o'clock p. m., on that day, an hour after its assembling. He had no occasion to say anything. The President of the Cigar Convention had told him that he would not be shown from that quarter—before it was not proposed. An address, however, speaker had got up for the purpose of delivering to the Convention, could not deliver.

The Tobacco Manufacturers of Louisville were impressed with the importance of the movement of the manufacturing interests, but that they had not reported in a convention, and that they would now do so. They would be the authority. At a later interview with leading spirits of the speculators and producers, the latter held forth the idea that taxation on leaf was injurious on the reason of the fact that the leaf was not produced in the city, and that the only fraud or evasion would come from the frontier population of the city. It was the speculators of Louisville who guide the planters in their views, and what they agreed to the planters.

The planters agree further they would not stand the tax on the leaf as they had not called on the war, and therefore could not be held responsible for the debt incurred through it. The President of the Louisville Convention, however, held that the manufacturers were disseminated among the farmers of the Iowa just heard. The only way to convert the country to the views of the Society was to convert the Louisville speculators into the friends of the Society. The speaker finally his proposed address to the Convention published in *The Louisville Journal*, and it will thus reach every planter in Kentucky. All that could be done by the delegates was to make the best of their only action in the hands of the masses.

Mr. MORRIS remarked that a great advantage had been gained by sending a delegate to Louisville, for if nothing else had been gained, the state of the opposition to taxing leaf tobacco was clearly defined. The speaker of the Louisville Convention had said that the only person expected from there, for composed as it was of speculators and dealers, the convention of one hour's duration had taken no action. The National Executive Committee should represent the true state of affairs to the National Convention, and conditions adopted by that called National Convention.

Mr. GENTCH moved to instruct the Delegate to the National Executive Committee to induce that body to protest against the action of the so-called Louisville Convention.

Mr. BURKE stated that the proceedings of this Louisville body had been utterly magnified, some of the so-called delegates having merely arrived in Louisville for the purpose of making their full purchases, and had not even attended the convention. He also expressed the views of their different States. So, for instance, had Western Virginia been represented by one delegate of this class, Eastern Virginia by another one, Michigan by another one, while the Ohio delegate, who had been elected, had not even attended the convention. After the adjournment and the New-York men, who arrived just at the moment of adjournment, were also counted as one of the 19 States represented to have participated in the deliberations.

It was then decided that the proceedings of the Louisville body, who adopted the following resolutions:

Resolved, That the heavy tax on tobacco, and the growing appreciation of the same, tend to destroy the industry of consumption and prevented products from planting to the extent they did before the community was taxed; and

Whereas, In view of this, the monthly reports of the Department of Agriculture show that the production of tobacco has increased, and that the crop is only barely able to sustain itself, and question the policy of further taxation as having the effect of checking the growth of the industry, and thereby depriving the Government of the tax therefrom;

Resolved, That in the judgment of this Convention, the establishment of a tariff on tobacco, and the growing appreciation of American growth would effectively exclude it from our export markets, and of course stop its production, thus destroying the industry of the South, and depriving the Government of \$20,000,000 annually, and in the adjustment of our commercial exchanges with the balance of the world.

Resolved, That an entire tax on tobacco would, in the opinion of this Convention, tend to destroy the industry of the South, and deprive the Government of the revenue, and as the great burden that would be imposed upon the grower, speculator or manufacturer by the Government, making it impossible for the grower to compete with the foreign market, and thereby stopping the production of the crop, such an export tax.

Resolved, That this Convention proceed to appoint a committee, with a Secretary, to meet a committee appointed by the Secretary of the Treasury of the United States Government on unmanufactured tobacco, or as to protect the industry of the grower, and make all equitable arrangements as possible.

The motion of Mr. Gentch was then put to vote and carried without a dissenting vote.

At the adjournment of the Convention, the Society, which had been held over from the last meeting, was then taken up.

Mr. PAULTICH opposed any recognition be distributed as being an entirely unjustifiable measure, for the distribution of the money would be a mere gratification of men, rather than a general association, would secure a more firm basis.

Mr. BURKE seconded the views of the last speaker.

Mr. KANE opposed any measure which tended to spread the influence of the Society, and that the speaker voted in this body, and the only movement to that effect could come from the district organizations themselves, and only from them.

Mr. SCHUBERT spoke strongly in favor of the dissolution of the district societies.

Mr. BURKE moved that the trial of the Society be referred to the discussion of the question of the

[illegible][illegible]

"HAIKINED CHURCH" EXCITEMENT.—The excitement of hideous and unaccountable stories, said to have been heard for a few nights past in one of its own places of worship in Jersey City, and which caused a story to be circulated that the church had invited, has created considerable excitement in that city. The church, it is elsewhere. On Sunday night hundreds of men, women, and children congregated in the city of the up-town churches, intent upon satisfying their curiosity. About 60 persons came from all over the city to the church. Under four that a demonstration was made upon the building, Chief Constable McManus was applied to and dispatched a number of police, who dispersed the assemblage. The man Catholic Church in South Eighth st., and the Methodist Episcopal Church at Hamilton square, were also surrounded until a late hour, but the parties actually departed without having their curiosity satisfied.

The explanation of the hideous sounds is that some credible person had found means of ingress under the roof of the St. Boniface Church, and there beneath his nightgowns, where he devotes a portion of the time sleeping and dismal hours. An old, well-known character in the avenue located the "haunted" spot. Father McGee, among them self-constituted committee of the church, went out in search of the ghosts before the night, and relates that in passing the last-named place she saw a ghost or spook standing on the steps leading to the entrance. Under four that a demonstration figure hauled a Belgian paving-stone straight down in front of her face, but fortunately setting her. Probably the young woman was too much startled at her narrow escape to have thought about taking possession of the Belgian paving-stone. She thought that at the time of telling this story she felt that she was troubled with spirits of Boorion in the night.

VICTIM OF A WOMAN BY TAKING POISON.—Near East of Jersey City held an impromptu gathering on the body of Ellen, wife of Thomas Murphy, residing at No. 190 North Second-st., Jersey City, who died from the effects of a dose of poison. It is alleged that the deceased and her husband, a retail peddler, were in possession of some Belgian paving-stones, killing each other, and soon began to suffer from its effects. A number of physicians were called in and administered usual remedies in such cases, but without the effect, and death ensued the following morning, after rendering a verdict of death by taking poison.

UNION MEETING AT HOBOKEN.—The Union League of Hoboken have commenced the fall campaign of education. The other evening, pursuant to a call of the City Executive Committee, they assembled in Ward to organize and elect officers, and last evening the officers met. According to instruction from their respective meetings, to organize a Central Union Club. At this meeting Mr. Charles Weiss was elected President, Messrs. Hubertin, Gen. James T. Hoffman, and Dr. Joseph F. Presbury, were elected Vice Presidents. The meeting terminated, however, among other things, it was resolved to have a grand meeting at an early day. The citizens seem to be active part in this campaign, and as appearances indicate, at least Hoboken will be reformed.

FATAL ACCIDENT.—A laborer, named Francis Jones, employed at the Patterson Dock, Jersey City, instantly killed on Saturday afternoon, by being run upon him of some blocks which broke away from top of a derrick.

THEFT OF A PICKPOCKET.—An Italian boot-maker, Louis Cogoli, was taken before Justice yesterday, charged with having attempted to pick the pocket of Charles Connors, while on the ground, apparently asleep, at the Ellysian Hall. The accused was committed to the County Jail for trial.

Naval Officers not to Lose their Rights of Citizenship.—Opinion of Attorney-General Speed.

ATTORNEY-GENERAL'S OFFICE, August 12, 1865.
HUGH McCULLOUGH, Secretary of the Treasury.

SIR: I have the honor to say in reply to your letter of the 7th inst., that in my opinion, if the persons to whom you refer as having received commissions in the naval service of the United States accepted employment in the Rebel naval service, born in the United States, or if born in a foreign country, were or had been naturalized as citizens of the United States, are, if otherwise qualified, entitled, according to the act of June 25, 1864, to be off of vessels of the United States.

If they were citizens before they engaged in rebellion, they did not lose their citizenship by becoming rebels. They became liable to suffer the pains and penalties which the law inflicts upon convicted traitors, but I am not aware that forfeiture of citizenship was one of those pains and penalties.

According as they do, according to the statement in your letter, to certain classes of traitors who have not been pardoned by the President, they are liable at any time to be tried, convicted, and punished for their crimes. Their conduct and associations also impressed them the qualified character of enemies, but did destroy their inherent character as citizens wholly, either or otherwise, they acquired.

Very respectfully, yours obedient servant,
JAMES SPEED, Attorney General

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